Group III	Claims 1-6 and 8, drawn to a method comprising administering to a mammal EPO-activated receptor modulator, class dependent on EPO-activated receptor modulator.
Group IV	Claims 1-8, drawn to a method comprising administering to a mammal nonerythropoietic, class dependent on nonerythropoietic EPO.
Group V	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal erythropoietin analog, classified in class dependent on analog.
Group VI	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal EPO erythropoietin mimetic, class dependent on mimetic.
Group VII	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal EPO erythropoietin fragment.
Group VIII	Claims 1-6, 8 and 9 drawn to a method comprising administering to a mammal hybrid erythropoietin fragment, class dependent on hybrid fragment.
Group IX	Claims 1-6 and 8-10, drawn to a method comprising administering to a mammal erythropoietin receptor-binding molecule, class dependent on receptor-binding molecule.
Group X	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal erythropoietin agonist, class dependent on agonist.
Group XI	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal renal erythropoietin.
Group XII	Claims 1-6, 8 and , drawn to a method comprising administering to a mammal brain erythropoietin.
Group XIII	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal erythropoietin oligimer.
Group XIV	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal erythropoietin multimer.
Group XV	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal erythropoietin mutein.
Group XVI	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal erythropoietin congener, classified in class dependent on congener.
Group XVII	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal naturally occurring form of erythropoietin.
Group XVIII	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal synthetic form of erythropoietin.
Group XIX	Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal recombinant form of erythropoietin.

Group XX Claims 1-6, 8 and 9, drawn to a method comprising administering to a mammal a combination thereof, class dependent on the combination of EPO compositions.

In response, Applicants respectfully traverse the Examiner's restriction requirement. Applicants maintain that the restriction requirement is a restriction of a single invention, and therefore an improper restriction under 35 U.S.C. § 121. Applicants respectfully assert that the twenty restriction groups required by the Examiner do not represent independent, separately patentable inventions but, rather, are properly characterized as species of a single generic invention.

In particular, the invention is directed to a method for drawn to a method for preventing or treating a neurodegenerative condition comprising comprising administering to a mammal an erythropoietin composition capable of interacting with the EPO receptors of epithelial tight junctions. Such a generic composition includes various forms of EPO, including EPO analogs, mimetics, fragments, hybrid fragments, EPO agonists, etc. The Examiner contends, however, that methods recite administration to a mammal structurally and functionally distinct compositions and are not required one for the other, and, as such, constitute separate and distinct inventions. Applicants respectfully disagree, for the reasons set forth below.

The twenty groups designated by the Examiner are method claims reciting functionally identical compositions. All groups recite methods of administering species of EPOs and EPO-like compounds which are capable of interacting with the EPO receptors of epithelial tight junctions, including the twenty designated species of compounds with this functional characteristic in common. Thus, each of the twenty groups represent a species of a single invention. Moreover, a search of all the methods of the invention would not constitute an undue burden, since many of these species of compounds fall into a number of the other groups. For example, an EPO (Group I), an EPO fragment (Group XIII), a hybrid EPO fragment (Group XIV) and an EPO receptor-binding molecule (Group IX), an EPO oligomer (Group XIII), and an EPO multimer (Group XIV) all contain overlapping members and compositions with identical sequence and primary structure (*i.e.*, erythropoietin sequences). Thus, the searches required for Groups I-XX would be coextensive.

For the reasons discussed above, Applicants request modification of the restriction requirement to indicate a single invention with a species election rather than a restriction of the invention.

Despite Applicants' foregoing traversal, in order to be completely responsive to the outstanding restriction requirement, Applicants hereby provisionally elect Group XIX, drawn to a method comprising administering to a mammal recombinant form of erythropoietin, with traverse.

Applicants respectfully request that the foregoing remarks and amendments made herein be entered into the record of the instant application. Please charge the required fee to Pennie & Edmonds Deposit Account No. 16-1150.

Respectfully submitted,

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Enclosures